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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/485,113	06/07/95	KATZ	R 6646-108N4

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26M1/0626

EXAMINER	
WOO, S	
ART UNIT	PAPER NUMBER
2605	13

DATE MAILED: 06/26/97

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

**Office Action Summary**Application No.  
**08/485,113**

Applicant(s)

**Katz**

Examiner

**Stella Woo**

Group Art Unit

**2605** Responsive to communication(s) filed on Mar 24, 1997 This action is **FINAL**. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims** Claim(s) 18-20 and 22-29 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

 Claim(s) \_\_\_\_\_ is/are allowed. Claim(s) 18-20 and 22-29 is/are rejected. Claim(s) \_\_\_\_\_ is/are objected to. Claims \_\_\_\_\_ are subject to restriction or election requirement.**Application Papers** See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner. The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved. The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119** Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  All  Some\*  None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) \_\_\_\_\_. received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

 Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)** Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152**-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --**

## DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18-20, 22-26, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam et al. (Szlam) in view of Riskin.

Szlam discloses an interface control system comprising:

call data means (ANI decoder 10a24; Fig. 5; col. 12, lines 29-39);

interface means (trunk interface unit 10 with message player MP; Fig. 2);

means for processing (data controller 15; col. 11, lines 1-14; col. 12, lines 60-66) coupled

to live operator attended terminals (operator terminals 12);

means for storing (mainframe 16; col. 11, lines 12-23; col. 12, line 67 - col. 13, line 39).

Szlam differs from claims 18-20, 22-26, 29 in that it does not specify the use of DNIS or directly forwarding a call to a live operator when the remote terminal does not have the capability to digitally provide data. However, Riskin teaches the well known use of DNIS for selecting a particular format (col. 16, lines 21-26) and direct forwarding of a call from a rotary phone to a live operator (col. 11, lines 5-17) such that it would have been obvious to an artisan of ordinary skill to incorporate such well known call handling features within the system of Szlam.

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3. Claims 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Szlam in view of Riskin, as applied to claims 18-20, 22-26, 29 above, and further in view of Ladd et al. (Ladd).

The combination of Szlam and Riskin differs from claims 27-28 in that it does not specify imposing time-based conditions. However, Ladd teaches the well known handling of calls according to time-of-day, day-of-week, etc. (col. 12, lines 13-16) such that it would have been obvious to an artisan of ordinary skill to incorporate the imposing of time-based conditions, as taught by Ladd, within the combination of Szlam and Riskin.

4. Applicant's arguments with respect to claims 18-20, 22-29 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella Woo whose telephone number is (703) 305-4395.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The fax phone number for this Group is (703) 305-9508.



STELLA WOO  
PRIMARY EXAMINER  
GROUP 2600

June 23, 1997